

United States Bankruptcy Court  
Eastern District of New York

In re:  
Michael Krichevsky  
Debtor

Case No. 22-71045-ast  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0207-8  
Date Rcvd: Jun 30, 2022

User: admin  
Form ID: pdf000

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Total Noticed: 7

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 02, 2022:**

Recip ID	Recipient Name and Address
db	+ Michael Krichevsky, 4221 Atlantic Ave, Brooklyn, NY 11224-1023
cr	+ SN Servicing Corporation as servicer for U.S. Bank, c/o Friedman Vartolo LLP, 1325 Franklin Avenue, Suite 160, Garden City, NY 11530-1631
cr	+ Select Portfolio Servicing, Inc. as Servicer for U, Shapiro, DiCaro, and Barak LLC, One Huntington Quadrangle, Suite 3N05, Melville, NY 11747-4468
cr	+ Select Portfolio Servicing, Inc. as servicer for, c/o Frenkel Lambert et al., 53 Gibson Street, Bay Shore, NY 11706-8369
cr	+ Select Portfolio Servicing, Inc., as Servicer Agen, c/o The Margolin & Weinreb Law Group LLP, 165 Eileen Way - Suite 101, Syosset, NY 11791-5324
cr	+ WELLS FARGO BANK, N.A., MAC N9286-01Y, P.O. Box 1629, Minneapolis, MN 55440-1629
cr	+ Wells Fargo Bank, N.A. as servicing agent for U.S., Woods Oviatt Gilman, LLP, 500 Bausch & Lomb Place, Rochester, NY 14604-2715

TOTAL: 7

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: Bankruptcynoticeshomelending@wellsfargo.com	Jul 01 2022 12:11:46	WELLS FARGO BANK, N.A., MAC N9286-01Y, P.O. Box 1629, Minneapolis, MN 55440-1629

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
aty		Woods Oviatt Gilman LLP
intp		Bank Defendants
cr		New York State Department of Taxation and Finance
cr		Wells Fargo Bank, N.A., as Servicing Agent for U.S

TOTAL: 4 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 02, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 30, 2022 at the address(es) listed below:

Name	Email Address
Alan Smikun	on behalf of Creditor Select Portfolio Servicing Inc., as Servicer Agent for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage alansm@nyfclaw.com, amelia@nyfclaw.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Victoria E. Munian individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Aleksandra K. Fugate individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Brittany J. Maxon individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant David Bruce Wildermuth individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Woods Oviatt Gilman LLP bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Creditor Wells Fargo Bank N.A. as servicing agent for U.S. Bank National Association, as Trustee for Banc of America Funding Corporation Mortgage Pass-Through Certificates, Series 2006-F bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Donald W. O'Brien Jr., individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Natalie A. Grigg individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Michael Thomas Jablonski individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Brettanie L. Hart Saxton individual bkinbox@woodsdefaultservices.com
Aleksandra Krasimirova Fugate	on behalf of Defendant Miranda L. Sharlette a/k/a Miranda Jakubec individual bkinbox@woodsdefaultservices.com
Anthony J. Proscia	on behalf of Defendant Steven J. Baum P.C. aproscia@kdvlaw.com
Anthony J. Proscia	on behalf of Defendant Steven J. Baum individual aproscia@kdvlaw.com
Anthony J. Proscia	on behalf of Defendant Elpiniki M. Bechakas; individual aproscia@kdvlaw.com
Brittany J Maxon	on behalf of Creditor Wells Fargo Bank N.A. as servicing agent for U.S. Bank National Association, as Trustee for Banc of America Funding Corporation Mortgage Pass-Through Certificates, Series 2006-F bkinbox@woodsdefaultservices.com
Christopher A Lynch	on behalf of Defendant Wells Fargo Bank NA clynch@reedsmith.com, btorres@reedsmith.com, chris-lynch-7800@ecf.pacerpro.com
Christopher A Lynch	on behalf of Defendant Banc of America Funding Corporation clynch@reedsmith.com btorres@reedsmith.com, chris-lynch-7800@ecf.pacerpro.com
Christopher A Lynch	on behalf of Defendant Natsayi Mawere individual clynch@reedsmith.com, btorres@reedsmith.com, chris-lynch-7800@ecf.pacerpro.com
Christopher A Lynch	on behalf of Defendant Wells Fargo Home Mortgage clynch@reedsmith.com btorres@reedsmith.com, chris-lynch-7800@ecf.pacerpro.com
Christopher A Lynch	on behalf of Defendant Jennifer L. Achilles individual clynch@reedsmith.com, btorres@reedsmith.com, chris-lynch-7800@ecf.pacerpro.com
Daniel B Fix	on behalf of Defendant Provest LLC daniel.fix@wilsonelser.com

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Daniel B Fix	on behalf of Defendant Woody Dorsonne individual daniel.fix@wilsonelser.com
Elizabeth L Doyaga	on behalf of Creditor Select Portfolio Servicing Inc. as servicer for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage Pass-T edoyaga@flwlaw.com, jspiegelman@flwlaw.com
James N. Faller	on behalf of Defendant Reed Smith LLP james.faller@reedsmith.com james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Natsayi Mawere individual james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Stephanie Terese Tautge individual james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Charice Lenise Gladden individual james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Kelly Duncan individual james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Creditor Wells Fargo Bank N.A. as servicing agent for U.S. Bank National Association, as Trustee for Banc of America Funding Corporation Mortgage Pass-Through Certificates, Series 2006-F james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant US Bank NA james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Wells Fargo Home Mortgage james.faller@reedsmith.com james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Wells Fargo Bank NA james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Banc of America Funding Corporation james.faller@reedsmith.com james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Creditor Wells Fargo Bank N.A., as Servicing Agent for U.S. Bank National Association, as Trustee for Banc of America Funding Corporation Mortgage Pass-Through Certificates, Series 2006-F (U.S. Bank), incorre james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Jennifer L. Achilles individual james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Daniel V. Edward individual james.faller@reedsmith.com, james-faller-7847@ecf.pacerpro.com
James N. Faller	on behalf of Defendant Jeremiah Herberg james.faller@reedsmith.com james-faller-7847@ecf.pacerpro.com
Josh Russell	on behalf of Creditor New York State Department of Taxation and Finance josh.russell@tax.ny.gov
Marianne DeRosa	on behalf of Trustee Marianne DeRosa Derosa@ch13mdr.com mderosa13@ecf.epiqsystems.com
Michael Lawrence Carey	on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of the Bungalow Series IV Trust mcarey@friedmanvartolo.com, bankruptcy@friedmanvartolo.com
Michelle C Marans	on behalf of Defendant Frenkel Lambert Weiss Weisman Gordon LLP MMarans@flwlaw.com, jspiegelman@flwlaw.com
Michelle C Marans	on behalf of Creditor Select Portfolio Servicing Inc. as servicer for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage Pass-T MMarans@flwlaw.com, jspiegelman@flwlaw.com
Michelle C Marans	on behalf of Defendant Barry M. Weiss individual MMarans@flwlaw.com, jspiegelman@flwlaw.com
Nancy L Kourland	on behalf of Defendant Frenkel Lambert Weiss Weisman Gordon LLP nkourland@lasserlg.com, nkourland@flwlaw.com
Nancy L Kourland	on behalf of Defendant Barry M. Weiss individual nkourland@lasserlg.com, nkourland@flwlaw.com
Natalie A Grigg	on behalf of Defendant Woods Oviatt Gilman LLP bkinbox@woodsdefaultservices.com

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Natalie A Grigg	on behalf of Defendant Donald W. O'Brien Jr., individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Michael Thomas Jablonski individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Aleksandra K. Fugate individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Natalie A. Grigg individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Victoria E. Munian individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Brittany J. Maxon individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant David Bruce Wildermuth individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Miranda L. Sharlette a/k/a Miranda Jakubec individual bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Attorney Woods Oviatt Gilman LLP bkinbox@woodsdefaultservices.com
Natalie A Grigg	on behalf of Defendant Brettanie L. Hart Saxton individual bkinbox@woodsdefaultservices.com
Natsayi Mawere	on behalf of Creditor Wells Fargo Bank N.A. as servicing agent for U.S. Bank National Association, as Trustee for Banc of America Funding Corporation Mortgage Pass-Through Certificates, Series 2006-F nmawere@reedsmith.com
Robert W. Griswold	on behalf of Creditor Select Portfolio Servicing Inc. as servicer for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage Pass-T rgriswold@logs.com, LOGSECF@logs.com
Robert W. Griswold	on behalf of Creditor Select Portfolio Servicing Inc. as Servicer for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage Pass-Th rgriswold@logs.com, LOGSECF@logs.com
Rory Greebel	on behalf of Defendant Woody Dorsonne individual rory.greebel@wilsonelser.com
Rory Greebel	on behalf of Defendant Provest LLC rory.greebel@wilsonelser.com
Shari S Barak	on behalf of Creditor Select Portfolio Servicing Inc. as Servicer for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage Pass-Th sbarak@logs.com, LOGSECF@logs.com
Stan Y Yang	stan.y.yang@usdoj.gov stan.y.yang@usdoj.gov
United States Trustee	USTPRegion02.LI.ECF@usdoj.gov

TOTAL: 65

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Michael Krichevsky

Case No. 22-71045-AST

Chapter 11

Debtor.

-----X

**ORDER STRIKING SCANDALOUS MATERIAL AND FOR ADJOURNMENT**

On October 4, 2019, Michael Krichevsky (the “Debtor”) converted his Chapter 13 case to one under Chapter 11 of the Bankruptcy Code. This Court held a Chapter 11 Case Management Conference on June 9, 2022, at 2:00 p.m.

The Court thereafter scheduled an evidentiary hearing on certain matters for July 18, 2022, primarily a long-pending Motion to Dismiss [Dkt. Item 249]

On June 23, 2022, Debtor filed a timely Objection To Contested Matter Scheduling Order, Memorandum Of Law, Motion And Supporting Affidavit To Amend And Continue July 18, 2022 Hearing (the “Objection”) [Dkt Item 291]. The Objection contains scandalous and improper material, such as frivolously alleging “Judicial Treason” against Judge Stong [Dkt. Item 291; Para. 11]. The Objection also urges this Court consider various motions and requests filed by Debtor, which this Court stated at the Chapter 11 Case Management Conference would not be considered until after the Court heard the Motion to Dismiss.

The United States Trustee filed a Motion to Convert Chapter 11 Case to a Case Under Chapter 7, or in the Alternative, to Dismiss Chapter 11 Case and a request to hear that motion on shortened notice (the “UST Motion”) [Dkt. Item 292].

Because Debtor has made accusations in his Objection that have both no merit and no place in these proceedings, the Court will address those first and strike them.

Striking Debtor's Scandalous Matter

Federal Rule 12(f) provides:

(f) Motion to Strike. The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. The court may act:

(1) on its own; or

(2) on motion made by a party either before responding to the pleading or, if a response is not allowed, within 21 days after being served with the pleading.


Fed. R. Civ. P. 12(f). This Court makes Rule 12 is applicable in this contested matter pursuant to Bankruptcy Rule 9014.

This Court strikes the following paragraphs of the Objection and cautions Debtor against making such accusations pursuant to Federal Rule of Bankruptcy Procedure 9011: paragraphs 1 (second sentence), 5, 11, 13, 25, 26.

Rather than shorten notice on the UST Motion, and given Debtor's request for an adjournment, in accordance Federal Rules of Bankruptcy Procedure 1001, 7016 and 9014, the Court will grant an adjournment of the hearing date from July 18 to July 28, and similarly will extend the various deadlines it had established. An Amended Scheduling Order to that effect will contemporaneously be entered.

**Dated: June 30, 2022**  
**Central Islip, New York**



  
**Alan S. Trust**  
**Chief United States Bankruptcy Judge**